



Frank S. Simone  
Vice President  
Federal Regulatory

AT&T Services Inc. T: 202.457.2321  
1120 20<sup>th</sup> Street, NW F: 832.213.0282  
Suite 1000  
Washington, DC 20036

March 21, 2017

***VIA ECFS***

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: Technology Transitions, GN Docket No. 13-5; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, GN Docket No. 12-353; Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25; Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers, RM-11358; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, RM-10593**

Dear Ms. Dortch:

AT&T Services Inc., respectfully files this letter in response to the *Ex Parte* filed by Granite Telecommunications, LLC (Granite) on March 15, 2017<sup>1</sup>. Granite met with Commission Staff to further reiterate their position regarding maintaining beyond their expected termination date interim conditions outlined in the Technology Transitions proceeding that relate to Wholesale Platform Services that they purchase from incumbent local exchange carriers. The Commission conducted a comprehensive evaluation and thoroughly examined evidence for which they sought comment relative to the appropriate timing for the sunset of the interim rule. The Technology Transitions Order specifically states "... the standard for termination that we adopt protects against the irrevocable loss of competition during the full interim period until completion of the special access proceeding and provides certainty to all parties regarding their rights and obligations until that time. We emphasize that we intend fully for the condition to be interim and short-term in nature and consistent with that goal we have adopted a specific and foreseeable endpoint."<sup>2</sup>

---

<sup>1</sup> See Letter from Samuel L. Feder, Counsel for Granite Telecommunications, LLC, to Marlene H. Dortch, Secretary, FCC, GN Docket Nos. 13-5, 12-353, WC Docket No. 05-25, RM-11358, RM-10593 (March 15, 2017).

<sup>2</sup> See Report and Order on Reconsideration, and Further Notice of Proposed Rulemaking (*Technology Transitions Order*), GN Docket No. 13-5, FCC 15-97, para 151 (Released August 7, 2015).

Marlene Dortch, Secretary

March 21, 2017

Page 2

While AT&T believes the Commission erred in prescribing how carriers should provide a voluntary, commercially negotiated service like Local Wholesale Complete,<sup>3</sup> Granite's request that the interim conditions continue is unanchored from any evidence. Granite already has commercial agreements with AT&T and other carriers for the provision of a 'commercial wholesale platform voice service'. Importantly, many of these agreements were first entered into before the Commission instituted the interim rules Granite now claims are in need of an extension. And, there is no record evidence purporting to show that absent an extension of the interim rules, Granite would be unable to obtain future wholesale agreements. Granite is a long standing customer of AT&T's and there is every expectation that that relationship will continue into the future. In fact, Granite's current contract is set to expire at the end of this year and AT&T fully expects to begin contract negotiations soon. In short, there is no basis to believe that AT&T's relationship with Granite will end or that its customers will be stranded without service.

Granite's proposal to extend the interim rules to some undetermined point in the future should be rejected. Please call if you have questions regarding this filing.

Sincerely,



Cc: Nicholas Degani  
Amy Bender  
Jay Schwarz

---

<sup>3</sup> See Brief for Petitioner US Telecom, at 47-55 (filed June 14, 2016), and Reply Brief for Petitioner US Telecom (filed Sept. 12, at 22-28), in *United States Telecom Association v. Federal Communications Commission*, D.C. Cir. No. 15-1414.